

AMENDMENTS TO THE SPECIFICATION:

Please replace paragraph [17] on page 5, with the following paragraph:

- [17] As more fully disclosed in pending United State Patent Application No. 09/828,021, filed on the same day of this application, which is hereby incorporated by reference, the invention may be used in conjunction with the method of noise attenuation whereby noise attenuation is ceased under a certain system condition such as a condition likely to lead to the generation of unwanted noise by the system. In such an embodiment, when a predetermined system condition is detected by microphone 26, the noise cancellation feature of control unit 18 is disabled. Preferably, the predetermined system condition is based on engine noise level received by microphone 26, background noise level received by microphone 26, or a relationship between the level of the engine noise to be attenuated and the level of background noise around the engine compartment. For example, a low engine noise level to background noise level would indicate a situation where unwanted noise may be generated. In this situation as well as other circumstances, control unit 18 disables the noise attenuation feature to prevent the generation of unwanted noise. While the noise attenuation feature is disabled, control unit 18 recalibrates as described above. The disabling of the noise attenuation feature may occur prior to the assessing of the environmental assumption of control unit 18.